

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF MONTANA, BUTTE DIVISION

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name LD CONSTRUCTION, INC.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 46-1674468

4. Debtor's address

Principal place of business

236 Mount Pleasant
Lewistown, MT 59457-8020

Number, Street, City, State & ZIP Code

Fergus

County

Mailing address, if different from principal place of business

PO Box 859
Lewistown, MT 59457-0859

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

183 Mile Dr # Driver Lewistown, MT 59457-8301
Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

7. Describe debtor's business

A. Check one:

☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))

☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))

☐ Railroad (as defined in 11 U.S.C. § 101(44))

☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))

☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))

☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))

☒ None of the above

B. Check all that apply

☐ Tax-exempt entity (as described in 26 U.S.C. §501)

☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)

☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

Check one:

☐ Chapter 7

☐ Chapter 9

☒ Chapter 11. Check all that apply.

☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

☐ A plan is being filed with this petition.

☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).

☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.

☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

If more than 2 cases, attach a separate list.

☒ No.

☐ Yes.

District

When

Case number

District

When

Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☒ No ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____ Relationship _____
District _____ When _____ Case number, if known _____

11. Why is the case filed in this district? Check all that apply:
- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? ☒ No ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention? (Check all that apply.)**
- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____
- Where is the property?** _____
Number, Street, City, State & ZIP Code _____
- Is the property insured?**
- ☐ No
- ☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds Check one:
- ☐ Funds will be available for distribution to unsecured creditors.
- ☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input checked="" type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities ☐ \$0 - \$50,000 ☒ \$1,000,001 - \$10 million ☐ \$500,000,001 - \$1 billion

Debtor

LD CONSTRUCTION, INC.

Name

Case number (if known)

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 09/15/2023
MM / DD / YYYY

X /s/ Brian D. Larson
Signature of authorized representative of debtor

BRIAN D. LARSON
Printed name

Title PRESIDENT

18. Signature of attorney **X** /s/ Gary S. Deschenes
Signature of attorney for debtor

Date 09/15/2023
MM / DD / YYYY

Gary S. Deschenes
Printed name

Deschenes & Associates Law Offices
Firm name

309 1st Ave N
Great Falls, MT 59401-2505
Number, Street, City, State & ZIP Code

Contact phone 406-761-6112 Email address gsd@dalawmt.com

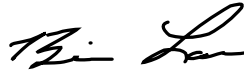
2293
Bar number and State

RESOLUTION OF LD CONSTRUCTION, INC.

The undersigned, being directors, officers, and shareholders of LD Construction, Inc., a Montana corporation, do hereby file and adopt the following resolution:

RESOLVED, THAT THE PRESIDENT OF THE CORPORATION BE, AND IS HEREBY AUTHORIZED, TO PERFORM WHATEVER ACT IS NECESSARY TO RESOLVE THE FINANCIAL SITUATION OF THE CORPORATION, INCLUDING BUT NOT LIMITED TO, FILING A PETITION AND OTHER PAPERS IN BANKRUPTCY FOR PROTECTION UNDER THE BANKRUPTCY ACT.

DATED this 15th day of September, 2023.



Brian D. Larson

LD CONSTRUCTION, INC.
PO BOX 859
LEWISTOWN, MT 59457-0859

JOHN DEERE FINANCIAL
PO BOX 6600
JOHNSTON, IA 50131-6600

RINDAL OIL
PO BOX 504
LEWISTOWN, MT 59457-0504

DESCHENES & ASSOCIATES LAW OFFICES
309 1ST AVE N
GREAT FALLS, MT 59401-2505

KOMATSU FINANCIAL
PO BOX 99303
CHICAGO, IL 60693-9303

RUSSEL J. SPIKA, CPA
505 W MAIN ST
LEWISTOWN, MT 59457-5703

BANK OF THE WEST
PO BOX 7167
PASADENA, CA 91109-7167

LEWISTOWN RENTAL
2566 TRUCK BYP # BYP
LEWISTOWN, MT 59457-3964

STOCKMAN BANK
PO BOX 958
LEWISTOWN, MT 59457-0958

BRIAN DAVID LARSON
236 MOUNT PLEASANT
LEWISTOWN, MT 59457-8020

MODERN MACHINERY
UNIT 35
PO BOX 4800
PORTLAND, OR 97208-4800

TIRE-RAMA
80397 US HIGHWAY 87
LEWISTOWN, MT 59457-8340

CARQUEST AUTO PARTS STORES
PO BOX 404875
ATLANTA, GA 30384-4875

MONTANA DEPARTMENT OF REVENUE
ATTN: BANKRUPTCY DEPARTMENT
PO BOX 7701
HELENA, MT 59604-7701

CATERPILLAR FINANCE
PO BOX 100647
PASADENA, CA 91189-0003

MONTANA STATE FUND
PO BOX 4759
HELENA, MT 59604-4759

FABIAN'S MACHINE & WELDING
307 1ST AVE N
LEWISTOWN, MT 59457-1727

MOTOR POWER
4941 MIDLAND RD
BILLINGS, MT 59101-6311

FERGUS AUTO PARTS
403 1ST AVE S
LEWISTOWN, MT 59457-3019

NAPA AUTO PARTS
403 1ST AVE S
LEWISTOWN, MT 59457-3019

FINANCIAL PACIFIC LEASING
PO BOX 749642
LOS ANGELES, CA 90074-9642

NATIONAL LAUNDRY
115 1ST AVE N
LEWISTOWN, MT 59457-1758

INTERNAL REVENUE SERVICE
PO BOX 7346
PHILADELPHIA, PA 19101-7346

R&R DIESEL REPAIR, INC.
PO BOX 5778
HELENA, MT 59604-5778